

Time for state to augment victims' fund

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Arizona has long been recognized as a leader in prioritizing the rights of crime victims through enactment and vigorous enforcement of a strong state victims' rights constitutional amendment. However, through no fault of their own and at a time when they are at their most vulnerable, victims often face the insurmountable obstacle of having to pay for the associated costs of their victimization.

That is why the state also operates the Victim Compensation Program, which was established to serve as a financial safety net for victims of crime who exhaust all other sources to pay for the costs of their victimization. However, a booming state population, rising rates of violent crime, and a decrease in available funding have seriously strained Arizona's ability to help these individuals as they attempt to pick up the pieces of their lives after their victimization.




Andrew LeFevre

According to the U.S. Census Bureau, Arizona's population grew by 15% from 2010 to 2020. This put Arizona in the top 10 (ninth) of the fastest growing states in the nation – a trend that is accelerating in recent years.

Couple this with rising crime rates and a funding source that has decreased by nearly 40% (from \$3.6 million in FY19 to \$2.2 million in FY20) and the state's safety net for victims is getting smaller by the year.

The Arizona Criminal Justice Commission administers the state's Victim Compensation and Assistance Fund, which provides direct financial assistance to victims of crime to pay for the costs of their victimization when there is no other source of payment. The most typical costs covered are hospital and medical bills, funeral expenses, mental health counseling, and travel expenses to attend court hearings.



The Victim Compensation program serves as a safety net for victims since it acts as the payor of last resort, which means that a victim has exhausted all other forms of payment – like insurance or Medicare.

Revenues for the Victim Compensation program have always been primarily derived from “victim revenue” that is part of the fines and fees associated with criminal offense charges and civil violations. Since funding into the program has been declining, decisions on victim services have been based solely on anticipated revenues coming into the fund and not the actual needs of victims that may apply to the program.

This is not how the state should approach assisting victims.

To understand the magnitude of the problem, Arizona Criminal Justice Commission undertook an analysis to estimate the number of victims that could apply to the Victim Compensation Program based on arrest data for certain crimes.

The analysis looked at those most common types of crimes that are funded through the program and then compared that to the Arizona Computerized Criminal History system and the number of victims associated with those crimes. In looking at the top nine crimes associated with Victim Compensation claims, we currently assist about 1,070 victims each year.

Reviewing the arrest data showed a “gap” of nearly 2,950 victims who could be helped that are not due to insufficient funding in the program. The cost associated with those potential victims of the Victim Compensation program is approximately \$7.5 million more than is what is available in current funding.

That is why the commission and other victim stakeholder groups have been engaging in a conversation with Gov. Doug Ducey and lawmakers to help them better understand the needs of victims of crime and to ask them to augment funding to expand our ability to help more victims during their time of need.

Fortunately, those conversations are starting to bear fruit.

Last fall, Ducey provided the Victim Compensation Program with \$1.2 million in one-time funding from the American Rescue Plan Act to help stabilize the fund in recognition of the program’s importance to the citizens of Arizona during the pandemic.

During the current legislative session, Ducey again recognized the importance of assisting victims. He recommended a supplemental appropriation for the current fiscal year of \$1.75 million. The legislature passed a \$1.75 million appropriation for FY23.

Additionally, Rep. John Kavanagh, R-Fountain Hills, introduced HB2132, which would create a new funding level for the Victim Compensation and Assistance Fund of \$12.5 million by supplementing

revenues from the state's General Fund at the beginning of each fiscal year to provide a state funding source to reach a greater number of victims of crime.

While legislative discussions continue on what the final version of this bill will be, Arizona Criminal Justice Commission and victims groups are incredibly grateful to Ducey and the Legislature prioritizing expanding this critical safety net for victims of crime.

– *Andrew T. LeFevre is executive director for the Arizona Criminal Justice Commission.*

Issue: ARIZONA CRIMINAL JUSTICE COMMISSION VICTIMS COMPENSATION FUND

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